

REMARKS

Claims 1, 3-10 and 13-23 are pending in this application. By this Amendment, claims 1, 10 and 21 are amended to distinguish over Washio.

No new matter is added by this Amendment. Support for the language added to claims 1, 10 and 21 can be found throughout the specification at, for example, paragraph 31.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Yan in the July 20, 2005 interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

I. Rejections Under 35 U.S.C. §103(a)

A. Seachman in view of Washio

Claims 1, 8, 10, 18 and 20-23 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,790,211 ("Seachman") in view of U.S. Patent No. 6,301,022 ("Washio"). This rejection is respectfully traversed.

The Patent Office alleges that Seachman teaches an imaging device including a platen having a surface upon which an original document is placed, a light source located on a side of the plate opposed to the surface upon which the original document is placed, and a platen cover for covering the document during the document scanning operation. The Patent Office further alleges that Seachman teaches that the platen cover includes a substrate having a dark color surface. The Patent Office admits that Seachman does not teach or suggest a platen cover having a fluorescent coating as recited in claims 1, 10 and 21. The Patent Office introduces Washio as allegedly teaching an imaging device using a fluorescent coating. The Patent Office thus asserts that Seachman in combination with Washio teaches a document imaging background member as recited in claim 1 and an imaging device as recited in claims 10 and 21. Applicants respectfully disagree with this assertion.

As correctly pointed out by the Patent Office, Washio teaches that the surface of the platen cover is a fluorescent color or metallic gloss. See column 13, lines 42-45 of Washio. A fluorescent coating as required in the present claims is completely different than a fluorescent color as used in Washio.

During the June 20, 2005 interview, it was extensively discussed that "fluorescent" as used in the present application is a coating that fluoresces or otherwise emits light in response to exposure to the light source of the exposure station. See paragraph 31 of the specification. Examples of the fluorescent coating include, but are not limited to, a fluorescent polymer coating, a fluorescent dye or pigment containing polymer coating and coating having polymers containing light-emitting chromophores. See paragraphs 32-36 of the specification.

In contrast, Washio describes fluorescent colors, and this term is completely different from "fluorescent" as defined in claims 1, 10 and 21. For example, "fluorescent" as used in Washio means "glowing as if with fluorescence: vivid fluorescent color." See page 534 of The American Heritage College Dictionary, Fourth Edition. A copy of this page from the dictionary is attached for the Patent Office's convenience.

As discussed during the July 20, 2005 interview, Applicants submit that the fluorescent color taught by Washio refers to the definition of "glowing as if with fluorescence." In other words, a fluorescent color as described in Washio is a vivid color such as a bright orange or bright green, which color appears to fluoresce but in fact does not fluoresce as required in claims 1, 10 and 21.

Further, Washio teaches that the fluorescent color is a darker color than the background of the document in order to extract the document edge. See column 13, lines 34-46 of Washio. It is not a coating that fluoresces or otherwise emits light in response to exposure to the light source as required of the coating recited in claims 1, 10 and 21.

It is clear that Washio's platen cover having a fluorescent color is vastly different from the document imaging background member having a fluorescent coating wherein the fluorescent coating fluoresces or emits light in response to exposure to a light source, as recited in claims 1, 10 and 21. Thus, even if one of ordinary skill in the art were to have combined the teachings of Seachman and Washio, the document imaging background member as recited in claim 1 and imaging device as recited in claims 10 and 21 would not have been achieved. Neither Seachman nor Washio teaches a document imaging background member coated with a fluorescent coating that fluoresces or otherwise emits light in response to exposure to a light source of the exposure station.

During the July 20, 2005 interview, Examiner Yan acknowledged that a fluorescent coating that merely appears to fluoresce as taught by Washio does not teach or suggest the fluorescent coating that fluoresces or emits light in response to exposure to a light source as recited in claims 1, 10 and 21.

For the foregoing reasons, Applicants submit that claims 1, 8, 10, 18 and 20-23 are patentable over Seachman and/or Washio. Reconsideration and withdrawal of the rejection are thus respectfully requested.

B. Seachman in view of Washio, and further in view of Thomson

Claims 3 and 13 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Seachman in view of Washio, and further in view of U.S. Patent No. 4,916,483 ("Thomson"). This rejection is respectfully traversed.

Thomson does not remedy any of the deficiencies in Seachman and Washio. In particular, Thomson does not teach or suggest a document imaging background member having a surface coated with a fluorescent coating as recited in claims 1 and 21.

For the foregoing reasons, Applicants submit that Seachman, Washio and/or Thomson do not teach or suggest the features recited in claims 3 and 13. Reconsideration and withdrawal of the rejection are thus respectfully requested.

C. Seachman in view of Washio and Thomson and further in view of Deneau

Claims 4 and 14 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Seachman in view of Washio and Thomson, and further in view of U.S. Patent No. 4,157,412 ("Deneau"). This rejection is respectfully traversed.

Deneau does not remedy any of the deficiencies in Seachman, Washio and Thomson. In particular, Deneau does not teach or suggest a document imaging background member having a surface coated with a fluorescent coating as recited in claims 1 and 21.

For the foregoing reasons, Applicants submit that Seachman, Washio, Thomson and/or Deneau do not teach or suggest the features recited in claims 4 and 14. Reconsideration and withdrawal of the rejection are thus respectfully requested.

D. Seachman in view of Washio, and further in view of Hayashi

Claims 5-7 and 15-17 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Seachman in view of Washio, and further in view of U.S. Patent No. 6,840,647 ("Hayashi"). This rejection is respectfully traversed.

Hayashi does not remedy any of the deficiencies of Seachman or Washio. In particular, Hayashi does not teach a document imaging background member having a surface coated with a fluorescent coating as recited in claims 1 and 21.

In fact, Hayashi teaches a lighting device to be used in a liquid crystal display device. The lighting device includes an electroluminescence device which acts as a light source in the liquid crystal display ("LCD") device. See the Abstract of Hayashi. This electroluminescence device may include a light-emitting layer made of a fluorescent pigment.

See column 19, lines 44-47 of Hayashi. In other words, Hayashi teaches an electroluminescence device that emits light from the LCD so a viewer may view the images.

In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either (1) be in the field of the applicant's endeavor or, if not, then be (2) reasonably pertinent to the particular problem with which the inventor was concerned. See MPEP §2141.02(a). Applicants submit that the light-emitting device taught by Hayashi is non-analogous to the document imaging background member having a surface coated with a fluorescent coating as recited in claims 1 and 21.

First, a light-emitting device used in an LCD display is in a different field of endeavor than a coating on a surface of a document imaging background member in an imaging device. Second, a light-emitting device in an LCD display is not reasonably pertinent to a platen cover that can reduce or eliminate show-through of images on a backside of an original document while also being able to reduce or eliminate the appearance of unsightly uneven borders or hole punched areas in a scanned or copied image (i.e., the particular problem with which the inventor was concerned). See paragraph 11 of the specification.

As such, Applicants submit that the teachings of Hayashi are non-analogous to the document imaging background member recited in claims 1 and 21. Thus, Hayashi is not properly combinable with the teachings of Seachman and Washio.

For the foregoing reasons, Applicants submit that claims 5-7 and 15-17 are patentable over Seachman, Washio and/or Hayashi. Reconsideration and withdrawal of the rejection are thus respectfully requested.

E. Seachman in view of Washio, and further in view of Tuhro

Claims 9 and 19 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Seachman in view of Washio, and further in view of U.S. Patent No. 5,017,963 ("Tuhro"). This rejection is respectfully traversed.

Tuhro does not remedy any of the deficiencies in Seachman or Washio. In particular, Tuhro does not teach or suggest a document imaging background member having a surface coated with a fluorescent coating as recited in claims 1 and 21.

For the foregoing reasons, Applicants submit that Seachman, Washio and/or Tuhro do not teach or suggest the features recited in claims 9 and 19. Reconsideration and withdrawal of the rejection are thus respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-10 and 13-23 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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Attachment:

Page 534 of The American Heritage College Dictionary, Fourth Edition

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